

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANN F. HORNE,

Plaintiff,

v.

Case No: 2:20-cv-181-JLB-MRM

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On September 30, 2021, the Magistrate Judge entered a Report and Recommendation (“R&R”) in this case, recommending that Plaintiff’s Unopposed Petition for EAJA Fees Pursuant to 28 U.S.C. 2412(d) (Doc. 26) be granted in part and denied in part. (Doc. 27.) Specifically, the Magistrate Judge reduced Plaintiff’s fee request by \$1.12 to account for a computational error. (Id. at 5.) Neither party has objected and the time to do so has expired.

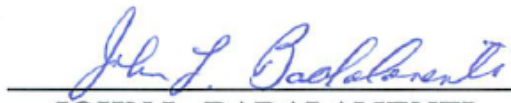
A district judge may accept, reject, or modify a magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1)(C). The factual findings in a report and recommendation need not be reviewed de novo in the absence of an objection, but legal conclusions are always reviewed de novo. Id.; Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After an independent review of the record—and noting that no objections have been filed—the Court agrees with the well-reasoned R&R.

Accordingly, it is **ORDERED**:

1. The R&R (Doc. 27) is **ADOPTED**.
2. Plaintiff's Unopposed Petition (Doc. 26) is **GRANTED IN PART** and **DENIED IN PART**.
3. Plaintiff is awarded \$8,316.25 in attorney's fees.
4. If the United States Department of the Treasury determines that Plaintiff does not owe a federal debt, the Government is **DIRECTED** to pay these amounts directly to Plaintiff's counsel.
5. The Clerk is **DIRECTED** to enter judgment accordingly.
6. The Unopposed Petition (Doc. 26) is **DENIED** to the extent it seeks any greater or different relief than this Order grants.

ORDERED at Fort Myers, Florida, on October 26, 2021.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE